
STATUTORY INSTRUMENTS

1999 No. 1306

The Wirral Tramway Order 1999

PART II

WORKS PROVISIONS

Principal powers

Power to construct and maintain works

4.—(1) The undertaker may construct and maintain the combined street tramways and tramroads described in Schedule 1 to this Order.

(2) Subject to article 5 below, the scheduled works shall be constructed in the lines or situations shown on the deposited plan and in accordance with the levels shown on the sections.

(3) Subject to paragraph (5) below, the undertaker may within the limits of deviation carry out and maintain such of the following works as may be necessary or expedient for the purposes of, in connection with or in consequence of the construction of the scheduled works, namely—

- (a) works required for, or in connection with, the control of traffic on the authorised tramway;
- (b) works to alter the position of apparatus, including mains, sewers, drains and cables;
- (c) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;
- (d) landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the scheduled works; and
- (e) works for the benefit or protection of premises affected by the scheduled works.

(4) Subject to paragraph (5) below, the undertaker may within the limits of deviation carry out such other works (of whatever nature) as may be necessary or expedient for the purposes of, in connection with or in consequence of the construction of the scheduled works.

(5) Paragraphs (3) and (4) above shall not authorise the carrying out or maintenance of works to alter the course of, or otherwise interfere with, navigable rivers or watercourses.

Power to deviate

5.—(1) In constructing or maintaining any of the scheduled works, the undertaker may—

- (a) deviate laterally from the lines or situations shown on the deposited plan within the limits of deviation for that work shown on that plan; and
- (b) deviate vertically from the levels shown on the sections to any extent not exceeding 0.5 metres upwards and to any extent downwards.

(2) The undertaker may in constructing or maintaining any of the authorised tramroads or authorised street tramways lay down—

- (a) double lines of rails in lieu of single lines,

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- (b) single lines of rails in lieu of double lines,
 - (c) interlacing lines of rails in lieu of double or single lines, or
 - (d) double or single lines of rails in lieu of interlacing lines.
- (3) The power in paragraph (2) above shall not be exercised in the case of any authorised street tramway without the consent of the street authority, but such consent shall not be unreasonably withheld.